

**JULY 13, 2010 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER, 101 C STREET,
WHEATLAND, CA
6:00 – 6:22 p.m.**

COUNCIL MEMBERS PRESENT: D. Coe, E. Elphick, J. Pendergraph, R. West
L. McIntosh - Absent

OTHER OFFICIALS PRESENT: S. Wright, City Manager
R. Shanahan, City Attorney
R. Miller, Administrative Services Director
T. Raney, Community Development Director
M. McCrary, Police Chief

PLEDGE OF ALLEGIANCE:

Council member Jay Pendergraph led the pledge of allegiance.

PUBLIC COMMENT

June Swift commented on the hole on Main Street.
William Harrison commented on the 4th of July picnic.

CONSENT CALENDAR

It was moved by Council member J. Pendergraph, seconded by D. Coe to **approve minutes from the special meeting on June 16 and the regular meeting on June 22, 2010; League of California Voting Delegate and Resolutions; Resolution No. 12-10 Adopting the City of Wheatland Investment Policy for Fiscal Year 2010/2011; Resolution No. 13-10 adopting the City's Pay Ranges for General Employees and Management Employees for Fiscal Year 2010/2011; Resolution No. 14-10 Adopting the City's Police Officer's Association Pay Ranges and Pay Rates for Fiscal Year 2010/2011 and Agreement for Professional Services with Brian Guynn.** Vote called – AYES: All. Motion carried.

PUBLIC HEARING

1) T. Raney presented discussion of the re-continuance of the Public Hearing on June 9, 2010 for consideration of an additional 30-day continuation of the public hearing to terminate the development agreements between the City and Lakemont Overland Crossing, LLC (Jones Ranch); (2) Wheatland Heritage Oaks, LLC (Heritage Oaks East – Single Family Residential); and (3) Trivest Land Co., Inc (Heritage Oaks East - Commercial/Multi-family). Raney explained that on June 9, 2010, the City Council granted the property owners an additional 30-day extension and continued the hearing to the July 13, 2010 Council meeting. Staff has continued to meet with the land owners and has made substantial progress in assisting the developers to resolve the development agreement deficiencies; however, city staff is requesting an additional 30-day extension to complete these negotiations. The ownership entities for both Jones Ranch and Heritage Oaks East have changed over the past year. Jones Ranch was previously controlled by Lakemont Overland Crossing, LLC; however, the property is now owned by the Royal Bank of Canada. Heritage Oaks East was previously controlled by the Wheatland Heritage Oaks, LLC (which consisted of Woodside Homes and Premier Homes); however,

the residential portion of the property has been transferred to a trustee of US Bank. The ownership of the commercial and multi-family residential portion of Heritage Oaks East has been returned to Trivest Land Co.

No public comment.

E. Elphick and D. Coe stated after this extension, request for further continuation will not be approved.

It was moved by Council member J. Pendergraph, seconded by D. Coe to **grant an additional 30-day continuation of the public hearing to terminate the development agreements between the City and Lakemont Overland Crossing, LLC (Jones Ranch); (2) Wheatland Heritage Oaks, LLC (Heritage Oaks East – Single Family Residential); and (3) Trivest Land Co., Inc (Heritage Oaks East - Commercial/Multi-family) to a date and time certain of the regular City Council Meeting on August 10, 2010, 6:00 p.m., 101 C Street, Wheatland, Ca .** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) T. Raney presented discussion of the letter regarding the Notice of Preparation for the Yuba County 2030 General Plan Update Environmental Impact Report. Raney explained that in 2009, the Yuba County Board of Supervisors provided direction to Yuba County planning staff to prepare a draft General Plan. The County is now in the process of writing the 2030 General Plan Update policy document, while at the same time scoping a program-level EIR to analyze the impacts of the 2030 General Plan Update. The 2030 General Plan Update will address land use, circulation, community design, noise, safety, public facilities and services, parks and recreation, economic development, conservation, open space, and related topics. The EIR for the Yuba County 2030 General Plan Update will analyze potentially significant impacts in unincorporated areas of the County; in particular, the EIR will focus on areas of planned land use change in the unincorporated County. Yuba County is currently preparing a program-level EIR for the 2030 General Plan Update. The County's 2030 General Plan Update will be comprehensive in scope and the EIR will be prepared in accordance with CEQA, implementing guidelines (Guidelines), relevant case law, and County procedures. As a policy document, the General Plan will provide guidance and set standards for several areas of mandatory environmental review for later projects that may be undertaken by local governments and the private sector. On June 18, 2010, Yuba County released the NOP for the 2030 General Plan Update EIR. The County has requested that jurisdictions within the County (as well as the general public) provide assistance in identifying the scope and content of the EIR by providing comment letters in response to the NOP. Therefore, in response to the NOP, City staff has prepared a comment letter that raises concerns associated with the following environmental issue areas: Agriculture and Forestry; Air Quality and Climate Change; Hydrology and Water Quality; Land Use and Planning/Population and Housing; Public Services; Transportation/Traffic; and Utilities (including Water, Wastewater, Stormwater, and Solid Waste). City staff must submit the NOP comment letter to Yuba County by 5:00 p.m. on July 19th.

It was moved by Council member R. West, seconded by D. Coe to **authorize the Mayor to sign the comment letter in response to the Notice of Preparation (NOP) for the Yuba County 2030 General Plan Update Draft EIR with changes as recommended by the City Attorney.** Vote called – AYES: All. Motion carried.

2) S. Wright presented discussion of the introduction of a Sales Tax Ordinance. Wright explained the

Council adopted Resolution No. 09-10 at the last meeting that placed the proposed ½ cent sales tax measure on the November ballot. The ordinance which when adopted only becomes effective after a positive vote of the Wheatland voters (see Section 3.34.020 [b]). The ordinance has been prepared by the City Attorney's office and has been reviewed and approved by staff from the State Board of Equalization. According to the City Attorney, passage of this ordinance requires at least a 2/3 vote of the City Council. It was moved by J. Pendergraph, seconded by D. Coe to **waive the reading and introduce the Ordinance Levying a One-Half Cent Transactions and Use Tax for Essential City Services to be Administered by the State Board of Equalization which levy's a one-half cent transaction and use tax in Wheatland upon a positive vote of the people.** Vote called – AYES: All. Motion carried.

REPORTS

J. Pendergraph reported that the Wheatland Fire Authority has passed their FY 2010/2011 budget. R. West reported on the Yuba Sutter Economic Development Corporation meeting.

ADJOURN

There being no further business, Mayor Elphick adjourned the meeting 6:22 p.m.

Minutes approve and adopted this 27th day of July, 2010.

Enita Elphick, *Mayor*

Lisa J. Thomason, *City Clerk*